

REMARKS

Claims 1-7 and 9-26 are currently pending. Claims 1, 10 and 11 have been amended.

I. The Rejection under 35 U.S.C. § 112 and Clarification of the Claim Language

Claim 11 is rejected under 35 U.S.C. §112 as allegedly being indefinite.

The Examiner states that there is insufficient antecedent basis for recitation “the aqueous liquid” in claim 11, line 11.

Claim 11 has been amended to add the term “while presenting an aqueous liquid” similar to claim 1.

In addition, claim 10 is amended to clarify the term “aqueous liquid” and conform to the language appearing in claim 1.

Further, claim 1 has also been amended to more precisely indicate the two separate steps for coating and adhering.

II. The Rejections Based on Sugino et al

Claims 1-4, 6, 10-11, 13 and 17-20 are rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Sugino et al (US 2003/0137732).

Claims 9, 14-16 and 21-23 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sugino et al (US 2003/0137732).

Applicants respectfully submit that the present invention is not anticipated by or obvious over the disclosures of Sugino et al and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

The Examiner has notes that Sugino et al has a description about the thickness of the adhesive layer: 20 to 100 nm (Sugino et al paragraph [0076]), which the Examiner states encompasses Applicants' claimed thickness (30 to 300 nm) of the adhesive layer of claims 1 and 11.

Applicants' claims recite a two-stage process comprising (i) a step of coating an adhesive layer on a transparent protective film and/or a polarizer to form the adhesive layer, and (ii) a step of adhering the transparent protective film and the polarizer while presenting an aqueous liquid.

However, Sugino et al does not contain any disclosure of a two-stage process comprising (i) a step of coating an adhesive layer on a transparent protective film and/or a polarizer to form the adhesive layer, and (ii) a step of adhering the transparent protective film and the polarizer while presenting an aqueous liquid, as described in the present application. Further, Sugino et al does not provide any reason to use Applicants' claimed two step process.

In addition, Applicants' claims recites that the aqueous liquid consists of water (claim 1) or consists essentially of water and a crosslinking agent (claims 1 and 11). Applicants' claim language consists of water does not include other elements. The claimed consisting essentially of language does not include elements that materially affect the basic and novel characteristics of the claimed invention. Thus, the claims do not contain an adhesive (such as PVA), while they do include water and a crosslinking agent.

For the above reasons, it is respectfully submitted that the subject matter of claims 1-4, 6, 10-11, 13 and 17-20 is neither taught by nor made obvious from the disclosures of Sugino et al

and it is requested that the rejections under 35 U.S.C. §§102 and 103(a) be reconsidered and withdrawn.

III. The Rejections Based on Sugino in view of Applicants' Admitted Prior Art, Shuichi et al, Okasaki or Kanter

Claim 5 is rejected under 35 U.S.C. §103(a) as being unpatentable over Sugino et al (US 2003/0137732) further in view of either Applicants' Admitted Prior Art or Shuichi et al. (JP 7198945).

Claims 7 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sugino et al. (US 2003/0137732), as applied to claim 1 above, in view of either Okasaki et al. (US 5,945,209) or general knowledge in the art.

Claims 24-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sugino et al. (US 2003/0137732), as applied above, and further optionally in view of Kanter (USP 4,737,410).

The secondary references do not overcome the deficiencies in the primary reference discussed in Section II above. It is respectfully submitted that the subject matter of claims 5, 7, 12 and 24-26 is neither taught by nor made obvious from the disclosures of Sugino et al in view of the secondary references and it is requested that the rejections under 35 U.S.C. §103(a) be reconsidered and withdrawn.

IV. The Rejections Based on Higashio et al., Sugino et al., and Rogers

Claims 1-4, 6, 9-11 and 13-23 are rejected under 35 U.S.C. §103(a) as being unpatentable over Higashio et al (US 2003/0072078 A1) in view of Sugino et al. (US 2003/0137732) further in view of Rogers (USP 2,263,249).

In the Response to Arguments, the Examiner argued that the unexpectedly improved properties of the present invention are merely a newly discovered function or property.

First of all it is noted that Applicants' claims are method claims. Applicants also respectfully submit that the cited art does not disclose Applicants' claimed method steps. Further, if the two-stage process as in the present application is not carried out, appearance faults and durability cannot be obtained satisfactorily, even in a case where the thickness of the adhesive layer is controlled within the range of 30 to 300 nm. That is, by the use of Applicants' claimed two-stage process and thickness of the adhesive layer is controlled within the range of 30 to 300 nm, unexpected improvements in appearance faults and durability are achieved. See Table 1 and the comparative data of Applicants' specification as originally filed.

As to claim 11, as previously argued, the aqueous solution in Rogers is to moisten the PVA film for contact purposes. Rogers does not use a cross-linking agent. In addition, the Examiner appeared to confuse the adhesive with the aqueous liquid in Higashio and the aqueous liquid is not obvious over Rogers.

The Examiner has also still not provided support in the art for the statement that:

It would have been obvious...to have utilized the cross-linking agent as disclosed by Higashio alternatively dissolved in the aqueous liquid of Rogers because general knowledge in the state of the art of cross-linking agents would have provided that it was merely important to have the cross-linking agents and the adhesive mated at the time of curing and may have found the alternative more

appealing in cases where the aqueous liquid was able to more easily dissolve the agent.

For the above reasons, it is respectfully submitted that the subject matter of claims 1-4, 6, 9-11 and 13-23 is neither taught by nor made obvious from the disclosures of Higashio et al in view of Sugino et al. further in view of Rogers and it is requested that the rejection under 35 §103(a) be reconsidered and withdrawn.

V. The Rejections Based on Higashio et al., Sugino et al., and Rogers in view of the Secondary References

Claim 5 is rejected under 35 U.S.C. §103(a) as being unpatentable over Higashio et al (US 2003/0072078 A1), Sugino et al. (US 2003/0137732), and Rogers (USP 2,263,249), as applied to claim 1 above, in view of either Applicant's admitted prior art or Shuichi et al. (JP 7198945).

Claims 7 and 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Higashio et al (US 2003/0072078 A1), Sugino et al. (US 2003/0137732), and Rogers (USP 2,263,249), as applied to claim 1 above, in view of either Okazaki et al. (USP 5,945,209) or general knowledge in the art.

Claims 24-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over Higashio et al (US 2003/0072078 A1), Sugino et al. (US 2003/0137732), and Rogers (USP 2,263,249), as applied above, and further optionally in view of Kanter (USP 4,737,410).

The secondary references do not overcome the deficiencies in the primary references discussed in Section IV above. It is respectfully submitted that the subject matter of claims 5, 7,

12 and 24-26 is neither taught by nor made obvious from the disclosures of Sugino et al in view of the secondary references and it is requested that the rejections under 35 U.S.C. §103(a) be reconsidered and withdrawn.

VI. Conclusion

In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the rejection under 35 U.S.C. §112 and the rejections under 35 U.S.C. §§102 and 103 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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